



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **ISHIOKA, Shogo et al.**

Serial Number: **10/069,523**

Group Art Unit: **2858**

Filed: **June 12, 2002**

Examiner: **LAIR, Donald M.**

Confirmation No.: **9379**

For: **INSPECTION APPARATUS AND INSPECTION METHOD**

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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

JAN 06 2004

Technology Center 2600

• Commissioner for Patents
• P.O. Box 1450
• Alexandria, VA 22313-1450
•

DATE: December 23, 2003

Sir:

In response to the requirement for an election of species dated August 25, 2003, Applicants provisionally elect the species of Group I: (Fig. 1). It is believed that claims 1-9 read on the elected species.

This election is made without traverse, it being understood that the applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 USC 120 and 35 USC 121 are retained, and that the Examiner will consider other species upon allowance of a generic claim.

Applicants respectfully request an early examination of the elected claims and favorable action on the merits. If the Examiner has any questions with this response, please feel free to call the undersigned at the indicated telephone number.

In the event this paper is not timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 50-2866, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

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